

Heckmann et al.
U.S.S.N. 09/743,244
Page -7-

REMARKS

The Applicants appreciate the Examiner's thorough examination of the subject application. Applicants request reconsideration of the subject application based on the following remarks.

Claims 1-4 and 11-12 were rejected under 35 U.S.C. §112, first paragraph and 35 U.S.C. §132 as the specification as originally filed allegedly does not provide support for the language "combinations thereof" provided in the Markush groups, e.g., "a metal selected from the group consisting of Al, Zr, Ti, Nb, and combinations thereof".

Claim 4 was rejected under 35 U.S.C. §112, second paragraph, as allegedly failing to set forth the subject matter which Applicants regard as their invention.

Claims 1-4 and 11-12 are fully supported by the specification as filed. Although Applicants disagree with the position taken by the Examiner, claims 1-4 and 11 have been amended to expedite prosecution of the instant application.

Thus, the claims are fully compliant with the requirements of 35 U.S.C. §132 and 35 U.S.C. §112, including the requirements of §112 first and second paragraph.

Claims 5, 8, 9, and 10 have been amended as suggested by the Examiner on page 3 of the November 3, 2003 office action. The claim amendments have modified the structure of the claims but the scope of the claimed invention has not been altered by the instant amendment to claims 5, 8, 9, and 10.

The language "monolithic sorbent" presented in the amendment filed September 25, 2003 replaced the language "slab like sorbent" which language was presented in the original translation of a German language priority document. Applicants respectfully submit that the word "monolithic" provides the same scope and meaning as "slab like." That is, monolithic refers to an uniform single article. Additional support for the replacement of "slab like" with "monolithic" is found in the specification at

Heckmann et al.
U.S.S.N. 09/743,244
Page -8-

page 7, line 21 to page 8, line 3, where the specification provides that the ceramics are crack-free and have a geometric structure completely identical to the corresponding structure of the gel (e.g., a monolith).

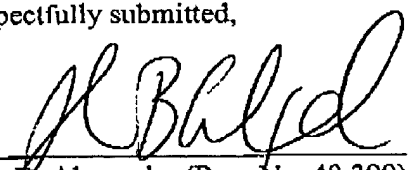
Although Applicants believe that the term "monolithic sorbent" most accurately describes the porous, crack-free ceramics described in the specification, Applicant is amenable to the Examiner's suggestions for alternate language.

Applicants request reconsideration of the claims and allowance of the application.

Although it is not believed that any additional fees are needed to consider this submission, the Examiner is hereby authorized to charge our deposit account no. 04-1105 should any fee be deemed necessary.

Respectfully submitted,

Date: December 23, 2003


John B. Alexander (Reg. No. 48,399)
EDWARDS & ANGELL, LLP
P. O. Box 9169
Boston, MA 02209
Tel: (617) 439-4444
Fax: (617) 439-4170 / 7748